

Remarks:

The present claims are claims 1-10. Claim 8 replaces original claim 4, thus obviating the objection to claim 4. Claims 1 and 6 as amended include limitations from specification paragraphs 002 and 016. Claim 9 includes limitations from original claims 1 and 6, as well as specification paragraphs 002, 015 and 016. Claim 10 includes limitations from original claim 4. Favorable reconsideration of this application is respectfully requested.

Claims 1-3 were rejected under 35 USC 102(b) as anticipated by Sites et al. (US 5,515,159). Sites et al. discloses a package seal inspection system, but Sites et al. neither discloses nor suggests the package contains an ophthalmic lens and solution, nor any liquid. Accordingly, as Sites et al. fails to describe each limitation of the claims, withdrawal of the rejection is requested.

With respect to new independent claim 9, it is further noted this claim requires that the lidstock applied to the upper side of the blister package includes a base layer and an upper foil layer, and that the underside of the blister package is presented to the field of view of said image pick-up device. For this claim, imaging of the underside of the blister package is necessary since the foil layer would not transmit light therethrough. Compare with Figures 4 and 5 of Sites et al. and the accompanying description, where Sites et al. obtains an image of the upper side of the package, i.e., the seal is visible through the lidstock 16. See, also, Figures 7 and 8 where the package is positioned between cameras 36 and backlighting 124.

Claims 4-7 were rejected under 35 USC 103(a) as unpatentable over Sites et al. (US 5,515,159) in view of Schwartz et al. (US 6,252,980).

Schwartz et al. discloses a system for measuring the fluid height and amount of bubbles for a fluid in a glass bottle, especially beer and soft drinks. See abstract, and col. 2, line 51 to col. 4, line 5, for example.

First, even if the disclosures of Schwartz et al. and Sites et al. are combined, neither reference discloses or suggests a package containing an ophthalmic lens and solution. Second, it is respectfully submitted that one skilled in the art would not modify the Sites et al. system to incorporate the Schwartz et al. measurement of fluid height, as alleged in the rejection, since Sites et al. neither discloses nor suggests packages

containing any type of fluid, and Sites et al. is concerned with plastic packages sealed with lidstock rather than glass bottles with bubble-containing fluids.

Accordingly, withdrawal of the rejection is respectfully requested.

The Examiner is invited to contact the undersigned to resolve any remaining issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. E. Thomas'.

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